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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/045,799	03/23/1998	HIDEYUKI HAYASHI		1410

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EXAMINER

TAMAI, KARL I

ART UNIT	PAPER NUMBER
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2834

DATE MAILED: 06/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/045,799

Applicant(s)

HAYASHI ET AL.

Examiner

Tamai IE Karl

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 9-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 9-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: end portions of the wires.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the deformation preventer extending over the end portions of the wires must be shown or the features canceled from the claims. No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1-6 and 9-14 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the

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application was filed, had possession of the claimed invention. The specification does not have a full, clear, concise, and exact written description of the end portions of the wires. It is particularly confusion because the end portion can have several reasonable interpretations, such as: the flat end portion on with the resin is applied or the removeable end portion with is releaseably connected to the outer frame 65.

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-6 and 9-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims do not particularly point out and distinctly claim the metes and bounds of the invention because it is unclear what constitutes the "end portion" of the wires.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Waratani et al.(Waratani)(JP 4-64414). Waratani teaches a conductor with an outer frame 16 and a wiring section 1, where the wiring section having a deformation

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preventer 2 under the resin 3. The deformation preventer extends along the flat end portion of the wires so as to extend between the wires and prevent deformation when the second resin is applied to the wires.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Waratani et al.(Waratani)(JP 4-64414), in further view of Huber. Waratani teaches every aspect of the invention, as discussed above, except the insert conductor and plastic plate deform preventer used in as a connector in a brush holder. Huber teaches an insert conductor molded in a brush holder. It would have been obvious to a person skilled in the arts at the time of the invention to construct the insert conductor of Waratani in a brush holder because Huber teaches that insert conductors with are molded into brush holders to form an integrated body.

11. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Waratani et al.(Waratani)(JP 4-64414), in further view of Yoshida. Waratani teach every aspect of the invention, as discussed above, except the deformation preventer composed of polyphenylene sulfide resin. Yosihida teaches that polyphenylene sulfide is used in is

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used in integrated circuits as an insulating layer. It would have been obvious to a person skilled in the art at the time of the invention to construct the insert conductor of Waratani with the deform preventer made of polyphenylene sulfide resin because Yoshida teaches that polyphenylene sulfide resin provides good adhesion and a firm adhesive property.

12. Claims 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Applicant's admitted prior art and Waratani et al.(Waratani)(JP 4-64414). The Applicant's admitted prior art teaches every aspect of the invention, as discussed above, except an insulating member to prevent the conductor from being deformed by resin injection during the resin molding. Waratani teaches an insulating member 2 to prevent the conductor from being deformed by resin injection during the resin molding. It would have been obvious to a person skilled in the art at the time of the invention to construct the brush holder of the Applicant's admitted prior art with the premold of Waratani to support the conductor within the resin mold during the injection molding process.

13. Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art(AAPA) and Waratani et al.(Waratani)(JP 4-64414), in further view of Huber. AAPA and Waratani teach every aspect of the invention, as discussed above, except the insert conductor and plastic plate deform preventer used in as a connector in a brush holder. Huber teaches an insert conductor molded in a brush

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holder. It would have been obvious to a person skilled in the arts at the time of the invention to construct the insert conductor of AAPA and Waratani in a brush holder because Huber teaches that insert conductors with are molded into brush holders to form an integrated body.

14. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art(AAPA) and Waratani et al.(Waratani)(JP 4-64414), in further view of Yoshida. Waratani and AAPA teach every aspect of the invention, as discussed above, except the deformation preventer composed of polyphenylene sulfide resin. Yoshida teaches that polyphenylene sulfide is used in is used in integrated circuits as an insulating layer. It would have been obvious to a person skilled in the art at the time of the invention to construct the insert conductor of AAPA and Waratani with the deform preventer made of polyphenylene sulfide resin because Yoshida teaches that polyphenylene sulfide resin provides good adhesion and a firm adhesive property.

15. In an attempt to consolidate issues for the Board of Appeals and Interferences, the examiner will withdraw the rejections over Byrne and Nakazawa, in favor of the statutory bar rejection of Waratani and the obviousness rejections of Waratani.

16. The Claims 1-6 and 9-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Byrne et al.(Byrne) and Nakazawa et al.(Nakazawa).

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Response to Arguments

17. Applicant's arguments filed 4/9/02 have been fully considered but they are not persuasive. The Applicant's argument that Waratani does not teach the deformation preventer on the end portions of the wires is not persuasive. The deformation preventer 2 is on the flat end portions of the wires to allow the deformation prevent to extend between adjacent wires.

Conclusion

18. Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karl I.E. Tamai whose telephone number is (703) 305-7066.

The examiner can be normally contacted on Monday through Friday from 8:00 am to 4:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Nestor Ramirez, can be reached at (703) 308-1371. The facsimile number for the Group is (703) 305-3432.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

Karl I Tamai
PRIMARY PATENT EXAMINER
June 25, 2002


KARL TAMAI
PRIMARY EXAMINER